

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : **Attorney Docket No. 0074-537949**
Simon Anthony BROWN et al. : **Art Unit 2823**
Application No. 10/573,123 : **Examiner Ankush K. Singal**
U.S. National Phase of :
Int'l Appln. No. PCT/NZ04/00230 :
Filing Date: November 13, 2006 : **Confirmation No. 4961**
For: **ETCH MASKS BASED ON
TEMPLATE-ASSEMBLED
NANOCLUSTERS** :

REQUEST FOR RECONSIDERATION

In response to the Official Action mailed on June 15, 2007 setting forth a restriction requirement, the Applicants hereby provisionally elect Group I, Claims 1-38 and 40. This election is made *with traverse*.

REMARKS

In making the restriction requirement, the Examiner conceded that the inventions of Groups I and II are directed to related processes. The Examiner further stated: "The related inventions are distinct if the (1) the [sic] inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect; (2) the inventions do not overlap in scope, i.e., are mutually exclusive; and (3) the inventions as claimed are not obvious variants." The Examiner went to state that the invention of Group I includes deposition of a plurality of particles and the invention of Group II includes deposition of clusters.